

## REMARKS

This is a full and timely response to the non-final Office Action mailed on July 13, 2005 (Paper No./Date 20050707). Reconsideration and allowance of the Application and present claims are respectfully requested.

### I. Response to Claim Rejections Under 35 U.S.C. § 102

Claims 1-8 and 14-30 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 5,635,989 to *Rothmuller*. Applicants respectfully traverse this rejection.

A proper rejection of a claim under 35 U.S.C. §102 requires that a single prior art reference disclose each element of the claim. See, e.g., *W.L. Gore & Assoc., Inc. v. Garlock, Inc.*, 721 F.2d 1540, 220 USPQ 303, 313 (Fed. Cir. 1983).

#### A. Claim 1

Claim 1, as amended, recites:

1. A programmable television services client device for enabling a user to search for television program information, said client device comprising:

memory for storing a first data including respective program information corresponding to a plurality of television programs, said respective program information including a first program parameter;

display configuration information contained in said memory that includes a guide arrangement for an interactive program guide (IPG), wherein said guide arrangement is configured to provide a user-selectable search option for television programs in the first data; and

a processor configured to,

provide the IPG with a first portion of the first data, said first portion including program information for respective television programs according to the initial guide arrangement,

***provide the user-selectable search option having browse-by formats of title, theme, time, and a character word or sequence search responsive to the user selecting the user-selectable search option,***

***provide a guide arrangement in the character word or sequence search format responsive to the user***

*selecting the search format from the user-selectable search option,*  
*receive a text string from the user by way of the guide arrangement in the character word or sequence search format,* said text string being input by the user, said text string corresponding to the first program parameter,  
search the first data in said memory for television programs corresponding to the received text string, and  
responsive to searching the first data in said memory, provide a displayed search result comprising the IPG with a second portion of the first data, said second portion including program information for at least a portion of the corresponding television programs resulting from the search.

(Emphasis Added)

Applicants respectfully submit that *Rothmuller* fails to disclose or teach at least the above-emphasized elements. In fact, *Rothmuller* provides in the Abstract the following.

“A method and apparatus for searching a program guide comprising program information for a plurality of different program sources. The program information includes the titles of the programs, the channel on which each program is to be shown, and the time at which each program is to be shown. The viewer first enters the title of a desired program. The program guide is then reviewed so as to identify each occurrence of the title of the desired program. If the desired program is contained in the guide, the time and channel associated with each identified occurrence of the program is displayed.”

(*Rothmuller* Abstract)

Nowhere does *Rothmuller* disclose an option that has browse-by formats of title, theme, time, and a character word or sequence search; that a user can select the character word or sequence search format from the option; and that the character word or sequence search format is present in a guide arrangement and facilitates interactions with the user to receive a text string from the user. Consequently, Applicants respectfully submit that *Rothmuller* does not teach or disclose the above-emphasized features, as recited in claim 1. Accordingly, a *prima facie* case of anticipation cannot be established based on *Rothmuller*. Thus, Applicants respectfully request that claim 1 be allowed and the objection be withdrawn.

B. Claims 2-8 and 14-30

Because independent claim 1 is allowable over the cited art of record, dependent claims 2-8 and 14-30 are allowable as a matter of law for at least the reason that dependent claims 2-8 and 14-30 contain all features and elements of their respective independent base claims. See, e.g., *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). Accordingly, the rejection to dependent claims 2-8 and 14-30 should be withdrawn for at least this reason, among others.

II. Response to Claim Rejections Under 35 U.S.C. §103

In the Office Action, claims 9-13, 31-37, and 39-62 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over *Rothmuller* in view of U.S. Patent No. 6,268,849, to *Boyer, et al.*

In order for a claim to be properly rejected under 35 U.S.C. §103, the teachings of the prior art reference must suggest all steps/elements/features of the claimed invention to one of ordinary skill in the art. See, e.g., *In re Dow Chemical*, 837 F.2d 469, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988); *In re Keller*, 642 F.2d 413, 208 U.S.P.Q. 871, 881 (C.C.P.A. 1981).

A. Claim 31

Claim 31, as amended, recites:

31. A method for implementing a programmable television services client device to enable a user to search for television program information, said method for implementing a programmable television services client device comprising the steps of:

receiving in the client device from a server device a first data including respective program information corresponding to a plurality of scheduled television programs;

storing the first data in a memory of the client device;

providing an IPG with a user-selectable search option for television programs in the first data, ***the user-selectable search option having browse-by formats of title, theme, time, and a character word or sequence search;***

***responsive to the user selecting the character word or sequence search format of the user-selectable search option, providing a guide arrangement in the character word or sequence search format, implementing a search for television programs in the first data stored in said memory of the client corresponding to a text string received from the user by way of the guide arrangement in the character word or sequence search***

*format*, said search being limited according to a user-selected time period to television programs corresponding to the user-selected time period, wherein the user-selected time period is selected by the user from a plurality of user-selected time periods; and responsive to implementing the search, providing a displayed search result in the IPG comprising program information from said first data corresponding to at least a portion of the television programs resulting from the search.

(Emphasis Added)

As mentioned above with relation to claim 1, nowhere does *Rothmuller* disclose an option that has browse-by formats of title, theme, time, and a character word or sequence search; that a user can select the character word or sequence search format from the option; and that the character word or sequence search format is present in a guide arrangement and facilitates interactions with the user to receive a text string from the user. In addition, *Boyer* is simply used to remedy the failure of *Rothmuller* “to explicitly teach where the time period is selected from a list of two or more time periods displayed within the search format.” (Office Action, page 6). Applicants submit that *Boyer* also fails to disclose an option that has browse-by formats of title, theme, time, and a character word or sequence search; that a user can select the character word or sequence search format from the option; and that the character word or sequence search format is present in a guide arrangement and facilitates interactions with the user to receive a text string from the user. Consequently, Applicants respectfully submit that *Rothmuller* in view of *Boyer* does not teach, disclose, or suggest the above-emphasized features, as recited in claim 31. Accordingly, a *prima facie* case of obviousness cannot be established based on *Rothmuller* in view of *Boyer*. Thus, Applicants respectfully request that claim 31 be allowed and the objection be withdrawn.

B. Claims 9-13, 32-37, and 39-62

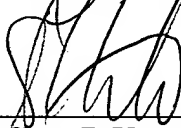
Because independent claims 1 and 31 are allowable over the cited art of record, dependent claims 9-13, 32-37, and 39-62 are allowable as a matter of law for at least the reason that dependent claims 9-13, 32-37, and 39-62 contain all features and elements of their respective independent base claims. *In re Fine*, supra. Accordingly, the rejection to dependent claims 9-13, 32-37, and 39-62 should be withdrawn for at least this reason, among others.

### **CONCLUSION**

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well-known since the Office Action does not include specific factual findings predicated on sound technical and scientific reasoning to support such conclusions.

Applicants respectfully maintain that the currently pending claims are in condition for allowance. Should the Examiner have any comments or suggestions that would place the subject patent application in better condition for allowance, he is respectfully requested to telephone the undersigned attorney at (770) 933-9500.

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